

make such rules and regulations for the government of said officers and the proper management of said institution as they may deem advisable. They shall regulate rates of tuition with the course of discipline necessary to enforce the faithful discharge of the duties of all officers, professors and students. They shall in connection with the faculty divide the courses of instruction into departments so as to secure a thorough education of the academic grade and the best possible industrial training, selecting careful and efficient professors in each department, giving preference to Texas teachers, if available, and shall adopt all such rules, by-laws and regulations as they may deem necessary to carry out all the purposes and objects of said institution.

Sec. 8. The board of managers shall receive such compensation as may be determined upon by the Board of Directors of the Agricultural and Mechanical College of Texas.

Sec. 9. The terms upon which pupils may be admitted, including the entrance requirements, shall be determined by the board of managers and the Board of Directors of the said Agricultural and Mechanical College of Texas, and in that respect they are empowered to fix or remit tuition fees and charges as they may deem best for said institution and the people for whose benefit it is established.

Sec. 10. The board of managers and the Board of Directors of the Agricultural and Mechanical College shall determine and fix the salary of each officer, professor and employe, provided that the salaries of professors in any department shall not exceed that which is now fixed for the professors of the Agricultural and Mechanical College or the College of Industrial Arts, with which this institution is closely affiliated.

Sec. 11. That there shall be appropriated out of any moneys in the State Treasury not otherwise appropriated for the year 1917, the sum of twenty-five thousand (\$25,000.00) dollars, and for the year 1918 the sum of twenty-five thousand (\$25,000.00) dollars, or so much thereof as may be necessary to carry into effect the provisions of this Act.

Sec. 12. The fact that there is now a pressing and rapidly increasing demand for the industrial training of the youth of Texas, for which

no adequate provision has been made, and the further fact that no suitable token of appreciation by the people of Texas of the years of service and sacrifice given to the State by Hon. V. W. Grubbs, who has given fully twenty years of his life and a comfortable fortune to the cause of educational reform in Texas, whose benefits to the youth of Texas are inestimable from a pecuniary as well as an educational point of view, and the further fact that he is now nearing his three-score years and must soon go to his eternal reward, creates an emergency, and it is therefore ordered that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect immediately after its passage.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Monday, March 5, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment.

The President and President Pro Tem. both being absent, the Senate was called to order by the Secretary, Jno. D. McCall.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Hopkins.	Westbrook.

Absent.

Bailey.	Robbins.
Harley.	Woodward.

Absent—Excused.

Henderson.

Prayer by the Chaplain.

Election of President Pro Tem. ad Interim.

The Chair announced that on account of the absence of the President and President Pro Tem. of the Senate, the election of a President Pro Tem. ad interim was in order.

Senator Hudspeth placed in nomination Senator Gibson of Fannin County.

There being no other nominations, on motion of Senator Clark, the Chair declared nominations closed.

Senators Hudspeth, Lattimore and Johnson of Hall were appointed as tellers.

The ballot resulted in Senator Gibson receiving twenty-five votes, and he was declared duly elected.

Senators Lattimore and Hudspeth were appointed as a committee to escort Senator Gibson to the President's stand, whereupon the constitutional oath of office was administered by the Secretary.

(President Pro Tem. ad interim Gibson presiding).

Pending the reading of the Journal of Friday, the same was dispensed with on motion of Senator Westbrook.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Messages from the House.

Hall of the House of Representatives, Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 149, A bill to be entitled "An Act to amend Title 126, Chapter 1, Article 7355, Section 9, of the Revised Civil Statutes of the State of Texas of 1911, on the question of taxation."

H. B. No. 37, A bill to be entitled "An Act to regulate the use and

operation of vehicles upon the public highways and elsewhere; to provide for the licensing, registration and identification of motor vehicles and for the payment of registration therefor; to provide for the licensing of persons operating motor vehicles, etc."

H. B. No. 135, A bill to be entitled "An Act amending Article 2939, Chapter 4, Title 49, Revised Civil Statutes of the State of Texas of 1911, and to regulate elections, and prescribing certain qualifications of voters thereat, and declaring an emergency," with engrossed rider.

H. B. No. 151, A bill to be entitled "An Act to make fraudulent advertising a penal offense, and prescribing a penalty, and making each day the same is committed a separate offense," with engrossed rider.

H. B. No. 157, A bill to be entitled "An Act requiring the commissioners court to publish notice of the time and place of the letting of any contract calling for or requiring the expenditure of five hundred dollars or more, of submitting same to competitive bids, and of publishing notice of the proposed letting of such contracts, and providing that contracts made in violation of this act shall not be enforced and may be enjoined."

H. J. R. No. 27, "Proposing an amendment to the State Constitution providing for the levy of a special tax to provide free textbooks in the public schools of the State of Texas; proposing to amend Article 7 of the Constitution by adding thereto a new section to be known as Section 16," with engrossed rider.

H. B. No. 173, A bill to be entitled "An Act declaring it to be unlawful for any railway company, or receiver thereof, or any other common carrier, to confiscate or otherwise convert to its, or their own use any article of freight received by it, or them, for transportation and delivery; providing penalties therefor in favor of the State of Texas and in favor of the owner or consignee of such article; providing that the terms of this act are cumulative of all other laws upon the subject, and declaring an emergency," with engrossed rider.

H. B. No. 200, A bill to be entitled "An Act to amend Article 2308, Chapter 5, Title 41, Revised Civil

Statutes of Texas, 1911, relating to venue of suits in justice courts, by adding thereto at the end of subdivision 4 thereof, 'Providing that in all suits to recover for labor performed or any kind of personal service rendered may, at the option of plaintiff, be brought and maintained where such labor is performed or personal service rendered,' and declaring an emergency," with engrossed rider.

H. B. No. 227, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being known and published as an act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions from the operation of what is known as the 'Anti-Pass Law,' so as to include among said exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work and all city fire marshals while traveling to and from their State and district conventions."

Concurs in Senate amendments to House Bills Nos. 43 and 499.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 391, A bill to be entitled "An Act to amend Section (4) of an Act of the Thirty-second Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend the charter of the city of Gainesville by creating a Board of Water Commissioners of said city, to be appointed by said city council, and prescribing the powers and duties of such board, and declaring an emergency,' relating to the control and disposition of funds derived from the sale of water, and repealing all laws in conflict herewith, and declaring an emergency."

Adopted S. C. R. No. 13, Providing for the appointment of committees of the Senate and House to relieve the

conflicts now existing in the conduct of the various State institutions.

S. C. R. No. 23, Relating to the congratulations from the citizens of Goliad.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 708, A bill to be entitled "An Act creating the Seadrift Independent School District in Calhoun County, Texas, etc., and declaring an emergency."

The following has been appointed, under provisions of S. C. R. No. 13, on behalf of the House:

Messrs. Thomason of Nacogdoches, McDowra and Denton.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 5, 1917.

Hon. F. M. Gibson, President Pro Tem. ad interim.

Sir: I am directed by the House to inform the Senate that the House grants the request of the Senate for a Free Conference Committee on S. B. No. 11, and the following has been appointed on the part of the House: Messrs. Boner, McFarland, Low of Washington, Bryant and Davis of Grimes.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (President Pro Tem. Ad Interim Gibson) had referred, after their captions had been read, the following House Bills:

H. J. R. No. 27, referred to the Committee on Constitutional Amendments.

H. B. No. 173, referred to the Committee on Criminal Jurisprudence.

H. B. No. 708, referred to the Committee on Educational Affairs.

H. B. No. 37, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 135, referred to the Committee on Privileges and Elections.

H. B. No. 149, referred to the Committee on Civil Jurisprudence.

H. B. No. 157, referred to the Committee on Civil Jurisprudence.

H. B. No. 200, referred to the Committee on Civil Jurisprudence.

H. B. No. 151, referred to the Committee on Criminal Jurisprudence.

H. B. No. 227, referred to the Committee on Internal Improvements.

Bills and Resolutions.

By Senator Johnson:

S. B. No. 461, A bill to be entitled "An Act to incorporate the city of Plainview, Hale County, Texas, and to grant it a charter; to define its powers and prescribe its territorial limits, duties and liabilities, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to the Committee on Towns and City Corporations.

By Senator McCollum:

S. B. No. 462, A bill to be entitled "An Act to take from the Eddy Independent School District an offshoot of lands and restore them to School District No. 36 of McLennan County, and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

By Senators Bee, Decherd, Page and Dean:

S. B. No. 463, A bill to be entitled "An Act to authorize the formation of corporations under the general corporation laws of this State, for the purpose of producing cotton, sugar cane and rice as their principal business; the ownership of lands necessary for such purposes not to exceed 5,000 acres, and declaring an emergency."

Read first time and referred to the Committee on Civil Jurisprudence.

By Senator Suiter:

S. B. No. 464, A bill to be entitled "An Act to amend Chapter 141 of the General Laws enacted by the Thirty-third Legislature in 1913, approved by the Governor on April 7, 1913, being 'An Act entitled an Act to carry into effect the provisions of the amendment to Section 51 of Article 3 of the State of Texas, adopted

at an election in said State on the 5th day of November, A. D. 1912, and formally declared to be a part of said Constitution by a proclamation of the Governor of said State, issued heretofore on the 30th day of December, A. D. 1912, by providing for the levy of an ad valorem tax of not exceeding five cents on the one hundred dollar valuation of property in said State for the purpose of creating a special fund for the payment of pensions for services in the Confederate army, navy, frontier organization, the militia of the State of Texas, and for the widows of soldiers serving in said armies, navies, organizations and militia, and providing how and under what regulations such fund shall be expended and controlled and how such pensions and the amounts thereof shall be paid to the persons entitled thereto, making the provisions of such bill cumulative of all laws in force in Texas, not in conflict therewith, repealing all laws and parts of laws in conflict therewith and prescribing a penalty for false swearing in connection with applications for pensions under the provisions of this Act,' by providing a method for taking evidence in such cases as come under the provisions of this Act, and providing that this shall be cumulative of all other laws pertaining to Confederate pensions when not in conflict therewith, and declaring an emergency."

Read first time and referred to the Committee on Public Debt, Claims and Accounts.

By Senators Buchanan of Bell and McCollum:

S. B. No. 465, A bill to be entitled "An Act incorporating the Valley Mills Independent School District in Bosque and McLennan Counties, Texas, for free school purposes only, and for the election of their successors, and divesting the present Valley Mills Independent School District and its board of trustees of the control of its public free schools, and of the title to all school property therein, and vesting the same in the said Valley Mills Independent School District and its board of trustees, and prescribing the rights, powers, privileges and duties of said Valley Mills Independent School District and its board of trustees, and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

By Senator Lattimore:

S. B. N. 466, A bill to be entitled "An Act concerning loan and investment companies, defining same and providing for their incorporation, fixing their powers and supervision."

Read first time and referred to the Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 467, A bill to be entitled "An Act to appropriate out of the General revenue not heretofore appropriated the sum of twenty-one thousand eight hundred thirty-two and eighty hundredths dollars (\$21,832.80) or so much thereof as may be necessary to defray the expenses of the Live Stock Sanitary Commission of Texas, in carrying out the provisions of C. S. S. B. No. 108, providing for the tick and sheep scab eradication for the fiscal year ending August 31, 1917, and declaring an emergency."

Read first time and referred to the Committee on Finance.

By Senator Johnston of Harris:

S. B. No. 468, A bill to be entitled "An Act to amend Article 7235, Revised Civil Statutes of Texas, 1911, which relates to the mode of preventing horses, cattle and certain other live stock from running at large in particular counties named; and amendment provides for the exemption of the County of Waller from the provisions of the said Article, and declaring an emergency."

Read first time and referred to the Committee on Stock and Stock Raising.

Morning call concluded.

Senate Bill No. 440.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 440, A bill to be entitled "An Act creating the San Diego Independent County Line School District of Duval County by adding to and making a part of what is now known as the San Diego Independent School District of Duval County certain lands and territory adjoining thereto and situated in Duval and Jim Wells Counties for school purposes only, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 440 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Buchanan of Bell.	Strickland.
Robbins.	Suiter.

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Harley.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Westbrook.
Hall.	Woodward.

Absent.

McCollum.	Strickland.
Robbins.	Suiter.

Absent—Excused.

Henderson.

Senate Bill No. 445.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 445, A bill to be entitled "An Act to create a more efficient road law for Mason County, Texas, by amending Chapter 67 of the Special Laws of the Thirty-second Legislature, 1911, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 445 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Westbrook.
Hall.	Woodward.

Absent.

Alderdice.	Smith.
McCollum.	Strickland.
Robbins.	Suiter.

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Harley.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent.

McCollum.	Strickland.
Robbins.	Suiter.
Smith.	

Absent—Excused.

Henderson.

House Bill No. 364 Recalled from House for Correction.

Senator Johnson of Hall made the following motion in writing:

I move that the Senate request the House to return H. B. No. 364, together with all amendments adopted by the House, to the Senate for correction.

JOHNSON.

The motion prevailed.

Senate Bill No. 55.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 55, A bill to be entitled "An Act to regulate the practice of dentistry, or dental surgery, in the State of Texas, providing for the examination and registration of persons desiring to practice dentistry, prescribing the qualifications of the Board of Examiners, prescribing fees that may be charged for registration, making it unlawful for any person not licensed under the provisions of the act to practice dentistry, defining a reputable dental college or school, providing for the registration of persons who have been engaged in the practice of dentistry in other States, for the revocation of license granted by the Board of Examiners upon satisfactory evidence of misconduct on the part of the licensee, for the exhibition of his or her license by the persons engaged in the practice of dentistry, prohibiting any person from advertising or soliciting business under any other than his or her proper and legal name, prescribing fees to be charged by the Board of Examiners for examination fees, penalties for the violation of any of the provisions of this act, and repealing all laws, or parts of laws, in conflict with this act."

The committee report, carrying a committee substitute bill, was adopted.

Senator Lattimore made the point of order that S. B. No. 55 was not printed and on the desks of the Senators, but instead only the substitute recommended by the committee, and the Senate could not properly consider a bill when a portion of it only was before the members; that under the committee report the bill as well as the substitute should have been printed.

The Chair sustained the point of order.

On motion of Senator King, the vote by which the committee report was adopted was rescinded.

Senator McNealus offered the following amendment to the committee report:

Amend the committee report on S. B. No. 55 by adding after the word "pass," on page 8, line 24, the words "and be not printed."

Senator Lattimore offered the following substitute:

Amend the committee report by striking out the last paragraph thereof and inserting in lieu thereof the following: "Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and that the original bill be not printed, and that the accompanying committee substitute do pass in lieu thereof and be printed."

The substitute was adopted.

The amendment as substituted was then adopted.

The committee report as amended was adopted.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend S. B. No. 55 by striking out Section 15 of the bill and renumber succeeding sections to conform thereto.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 55 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Dayton.
Bailey.	Dean.
Bee.	Decherd.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.

Hopkins.	Page.
Hudspeth.	Parr.
Johnson of Hall.	Smith.
Johnston of Harris.	Strickland.
King.	Sulter.
Lattimore.	Westbrook.
McCollum.	Woodward.

Absent.

Clark.	McNealus.
Harley.	Robbins.

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—27.

Alderdice.	Johnson of Hall.
Bailey.	Johnston of Harris.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Sulter.
Hall.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Dayton.	Robbins.
Harley.	

Absent—Excused.

Henderson.

Senator Clark moved to reconsider the vote by which S. B. No. 55 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 730.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 730, A bill to be entitled "An Act to amend Chapter 56 of the Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being an act to amend Chapter 34 of the Special Laws of the Regular Session of the Thirty-second Legislature, being an act to

amend Chapter 80 of the Special Laws passed by the Thirtieth Legislature of the State of Texas, approved April 15, 1907, and to amend Chapter 71 of the Special laws passed by the Regular Session of the Thirty-first Legislature of the State of Texas, approved March 17, 1909, and to create a more efficient road law for Lee County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 730 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Harley.	Westbrook.
Hall.	Woodward.
Hopkins.	

Absent.

Alderdice.	Suiter.
Robbins.	

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—28.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.

Absent.

Clark.

Robbins.

Absent—Excused.

Henderson.

Senator Page moved to reconsider the vote by which H. B. No. 830 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill, No. 667.

(By unanimous consent.)

The Chair laid before the Senate on third reading:

H. B. No. 667, A bill to be entitled "An Act incorporating and creating the Paducah Independent School District in Cottle County, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—28.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.

Absent.

Clark.

Robbins.

Absent—Excused.

Henderson.

Senate Joint Resolution No. 3.

(By unanimous consent.)

The Chair laid before the Senate on third reading:

Senate Joint Resolution No. 3, To be entitled "A Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Section 9, Article 8, of the Constitution of the State of Texas, au-

thorizing the levy of a special tax of not exceeding seventy-five cents on the one hundred dollars valuation and a vehicle tax of not exceeding one dollar on the one hundred dollars valuation for the improvement and maintenance of public roads."

The resolution was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.

Nays—1.

Lattimore.

Absent.

Bailey.	Robbins.
Clark.	

Absent—Excused.

Henderson.

Senate Bill No. 388.

(By unanimous consent.)

The Chair laid before the Senate on third reading:

S. B. No. 388, A bill to be entitled "An Act to create the Wharton Independent School District in Wharton County, Texas, including the present Wharton Independent School District, providing for a board of trustees in said Wharton Independent School District, conferring upon said district and its board of trustees all rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof, providing that the board of trustees of the present Wharton Independent School District shall be continued in office until the expiration of their respective terms, providing that the successors to the board of trustees of the

present Wharton Independent School District shall be elected as provided by the General Laws of Texas for the election of trustees in independent school districts incorporated for school purposes only, providing that the passage of this Act shall not interfere with or invalidate any outstanding indebtedness of the present Wharton Independent School District, and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—27.

Alderdice.	Johnson of Hall.
Bee.	Johnson of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Bailey.	Robbins.
Clark.	

Absent—Excused.

Henderson.

Senator Hall moved to reconsider the vote by which S. B. No. 388 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 226.

(Pending.)

Action recurred upon H. B. No. 226 as pending business, read second time on February 28, the question being upon the substitute amendment offered by Senator Suiter for the pending amendment by Senator Hudspeth.

Both the substitute and the amendment were withdrawn.

Senator Suiter offered the following amendment:

(1) Amend H. B. No. 226, page 4, line 14, by striking out the words "may in its discretion" and inserting in lieu thereof the following: "shall,

when it is necessary to extend the term of said school."

Senator Hudspeth offered the following substitute for the pending amendment:

Amend H. B. No. 226, page 4, line 13, by striking out that portion of Section 6 after the word "Act" in said line 13.

Pending.

Recess.

At 12:25 o'clock p. m., on motion of Senator McNealus, the Senate recessed until 2 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Ad Interim Gibson.

Special Committee—Senate Concurrent Resolution No. 13.

The Chair announced the appointment of Senators Dayton and Alderdice as a special committee under the provisions of S. C. R. No. 13.

Bills Signed.

The Chair (President Pro Tem. ad Interim Gibson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 63, A bill to be entitled "An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations, prohibiting the employment of children under seventeen years of age to labor in certain occupations, prohibiting the sending of children under seventeen years of age to certain places, limiting the hours of labor for children under seventeen years of age, providing for permits to be issued by the county judge for children between the ages of twelve and fifteen years to labor in certain occupations and under certain conditions, requiring employers employing children between the ages of twelve and fifteen years to secure and post permits where child is employed, providing how such permits may be secured, giving the Com-

missioner of Labor Statistics or his deputies or inspectors free access to all places where children or minors are employed, providing penalties for violations of the Act, and repealing all laws and parts of laws in conflict with the Act."

S. B. No. 379, A bill to be entitled "An Act to amend Section 1 of House Bill No. 34, enacted by the Thirty-fifth Legislature and approved by the Governor February 13, 1917, relating to the creation of a juvenile board within certain counties of this State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation of such officers, and allowing the said district judges an additional salary to be paid out of the general revenue fund of such county, and declaring an emergency."

C. S. for S. B. No. 108, A bill to be entitled "An Act providing for State-wide tick eradication throughout the State of Texas, and to provide for the expenses of conducting the work in the several counties, to prescribe penalties for violations of this Act and to provide process to compel compliance by commissioners courts and the members thereof with the provisions of this Act, and of orders and regulations of the State of Texas Live Stock Sanitary Commission, and repealing all laws and parts of laws in conflict herewith."

S. B. No. 391, A bill to be entitled "An Act to amend Section 4 of an Act of the Thirty-second Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend the charter of the city of Gainesville by creating a board of water commissioners for said city, to be appointed by said city council, and prescribing the powers and duties of such board, and declaring an emergency,' relating to the control and disposition of funds derived from the sale of water and repealing all laws in conflict herewith and declaring an emergency."

S. C. R. No. 13, Providing for the appointment of a committee to determine, under the Constitution and laws of Texas, the distinct fields of operation to be pursued by the A. and M. College, the University and the Department of Agriculture, to avoid and eliminate the friction and jealousy existing among said institutions, requesting the Legislature to make appropriations for each institution in

the sphere of activities as prescribed by said committee, and to eliminate duplicate and repeating work done by said institutions, and providing for each institution to perform certain specific acts and things as provided by law.

S. C. R. No. 23, Relating to the message of congratulation and patriotism from the citizens of Goliad.

Senate Joint Resolution No. 8.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

S. J. R. No. 8, A joint resolution to amend Section 4 of Article 11 of the Constitution of the State of Texas, by providing that towns and cities having a population of less than five thousand inhabitants may assess and collect an annual tax to defray the current expenses of their local government not to exceed one-half of one per cent of the taxable property thereof for any one year.

The resolution was read second time and on motion of Senator Dean was passed to engrossment.

House Bill No. 226.

(Pending.)

Pending business, H. B. No. 226, was again taken up, the question being upon the substitute amendment of Senator Hudspeth for the pending amendment by Senator Suiter.

Senator Suiter moved to table the substitute, and the motion was lost by the following vote:

Yeas—11.

Alderdice.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Dean.	Smith.
Decherd.	Strickland.
Gibson.	Suiter.
Hopkins.	

Nays—13.

Bailey.	Hudspeth.
Bee.	Johnston of Harris.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Hall.	Parr.
Harley.	

Absent.

Buchanan of Bell.	Robbins.
Floyd.	Westbrook.
King.	Woodward.

Absent—Excused.

Henderson.

Action then recurred upon the substitute amendment by Senator Hudspeth, and the same was lost by the following vote:

Yeas—13.

Bailey.	Johnston of Harris.
Bee.	McCollum.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Westbrook.
Hall.	Woodward.
Hudspeth.	

Nays—14.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Dean.	McNealus.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.

Absent.

Harley.	Robbins.
King.	

Absent—Excused.

Henderson.

Senator Dean moved to reconsider the vote by which the substitute amendment lost and table the motion to reconsider.

The motion to table prevailed.

Action then recurred upon the pending amendment by Senator Suiter and the same was adopted by the following vote:

Yeas—17.

Alderdice.	McNealus.
Bailey.	Page.
Bee.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Hopkins.	Suiter.
Hudspeth.	Westbrook.
Lattimore.	Woodward.
McCollum.	

Nays—9.

Buchanan of Bell. Buchanan of Scurry.

Caldwell.	Gibson.
Clark.	Hall.
Decherd.	Johnson of Hall.
Floyd.	

Present—Not Voting.

Johnston of Harris.

Absent.

Harley.	Robbins.
King.	

Absent—Excused.

Henderson.

Senator Suiter offered the following amendment:

(2) Amend H. B. No. 226 by striking out Section 4 of the bill and renumbering the succeeding sections to conform to this amendment.

The amendment was adopted by the following vote:

Yeas—16.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Dayton.	McNealus.
Dean.	Strickland.
Decherd.	Suiter.
Floyd.	Westbrook.
Hopkins.	Woodward.

Nays—9.

Bailey.	Hudspeth.
Bee.	McCollum.
Caldwell.	Page.
Clark.	Parr.
Harley.	

Present—Not Voting.

Gibson.	Johnston of Harris.
---------	---------------------

Absent.

Hall.	Smith.
Robbins.	

Absent—Excused.

Henderson.

Senator Clark offered the following amendment:

Amend H. B. No. 226 on page 6, line 30, after the word Act, by adding a new section to be known as Section 10a as follows:

Section 10a. This law shall not require country school houses to be changed and any school community can build any kind of a school house

it may deem proper, provided it is a reasonably comfortable school house.

Senator Lattimore made the point of order that the amendment is not germane to the bill.

The point of order was sustained.

Senator Clark offered the following amendment:

Amend bill on page 3 by striking out all from line 6 down to and including all of line 18.

On motion of Senator Bee the amendment was tabled by the following vote:

Yeas—20.

Bailey.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Dayton.	Lattimore.
Dean.	McCollum.
Decherd.	Page.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.

Nays—8.

Alderdice.	Johnston of Harris.
Caldwell.	McNealus.
Clark.	Parr.
Hudspeth.	Westbrook.

Absent.

Robbins.	Woodward.
----------	-----------

Absent—Excused.

Henderson.

Senator Caldwell offered the following amendment:

(3) Amend H. B. No. 226 by adding at the end of Section 7, at end of line 28, page 5, the following: "Provided that no school shall be granted State aid a second time until all applications on file for first aid from schools entitled to aid under this Act shall have been acted upon."

The amendment was read and adopted.

Senator Caldwell offered the following amendment, which was read and adopted:

(4) Amend H. B. No. 226 by adding after the word "pupils" in line 25, page 3, the words "exclusive of transfers."

Senator Lattimore offered the following amendment, which was read and adopted:

(5) Amend the bill, page 5, line 3,

by striking out the word "his" and inserting word "its."

Senator Caldwell offered the following amendment, which was read and adopted:

(6) Amend caption of H. B. No. 226, page 1, line 27, by inserting after the word "scholastics" the words "exclusive of transfers."

Senator Hudspeth moved the previous question on the passage of the bill to its third reading.

The motion being duly seconded the main question was ordered.

The bill was read second time and on motion of Senator Hudspeth was passed to its third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 226 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Harley.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Sulter.
Hall.	Westbrook.

Present—Not Voting.

McNealus.

Absent.

McCollum.

Woodward.

Robbins.

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—24.

Bailey.	Floyd.
Bee.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Harley.
Caldwell.	Hopkins.
Clark.	Hudspeth.
Dayton.	Johnson of Hall.
Dean.	Johnston of Harris.
Decherd.	King.

Lattimore.

Smith.

Page.

Strickland.

Parr.

Westbrook.

Nays—1.

Alderdice.

Present—Not Voting.

McNealus.

Absent.

McCollum.

Sulter.

Robbins.

Woodward.

Absent—Excused.

Henderson.

Senator Bee moved to reconsider the vote by which H. B. No. 226 was passed and table the motion to reconsider.

The motion to table prevailed.

Adjournment.

At 6:20 o'clock p. m., on motion of Senator Bailey, the Senate adjourned until 10 o'clock tomorrow.

APPENDIX.

Petitions and Memorials.

Numerously signed petitions to Senators Alderdice, Bee, Buchanan of Bell and Caldwell were offered and read, all of which were signed in opposition to Senate Bill No. 219, now pending.

Senator Floyd offered a petition from Lake Creek, Texas, opposing the Dean Minimum Wage Bill, No. 22.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 452 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed

Bills has had Senate Bill No. 55 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 5, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 241 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 5, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 343 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 5, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Joint Resolution No. 8 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 5, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 440 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 5, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 441, A bill to be entitled "An Act to amend Chapter 150, enacted by the Regular Session of the Thirty-fourth Legislature, approved April 5, 1915, relating to the sale of the land belonging to the public free school fund and the several asylums

fund, repealing all laws in conflict and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal only.

Parr, Chairman; Hudspeth, Dayton, Decherd, Johnson, Hall.

By Hudspeth.

S. B. No. 441.

A BILL To Be Entitled

An Act to amend Chapter 150, enacted by the Regular Session of the Thirty-fourth Legislature, approved April 5, 1915, relating to the sale of the land belonging to the Public Free School Fund and the several asylums fund, repealing all laws in conflict and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Chapter 150, enacted by the Regular Session of the Thirty-fourth Legislature and approved April 5, 1915, relating to the sale of the land belonging to the public free school fund and the several asylums fund, shall be so amended as to hereafter read as follows:

Section 1. The surveyed land which belongs to the public free school fund and to the several asylums fund, which may not be held by purchase or lease on the first day of September, 1917, nor held by purchase or lease on the first day of January, May and September of each year thereafter, shall be offered for sale by the Commissioner of the General Land Office on the dates herein named and under the same regulations and upon the same terms that are now provided by law for the advertisement and sale of leased and unleased land in Chapter 103, Act of April 15, 1905, and amendments in Chapter 20, Act of May 16, 1907, except as provided herein.

Sec. 2. The surveyed land situated in the Counties of Brewster, Bandera, Crane, Culberson, Crockett, Edwards, El Paso, Hudspeth, Irion, Jeff Davis, Kerr, Kimble, Kinney, Loving, Maverick, Menard, Pecos, Presidio, Real, Reagan, Sutton, Terrell, Travis, Upton, Uvalde, Webb, Winkler, Val Verde and Zapata, which is now unsold or which may

hereafter become subject to sale shall be sold in whole tracts only and in quantities not to exceed eight sections to any one person, and without the condition of settlement or residence, and without regard to the proximity of one tract to another. Purchasers shall accompany their applications with one-fortieth of the price offered for the land and execute a note to the State for the balance of the purchase price, bearing interest at the rate of 5 per cent per annum, and binding the purchaser to pay to the State of Texas at the General Land Office at Austin, Texas, all principal and interest, and at the time and in the manner now provided for the payment of principal and interest on purchases of such land. One who has heretofore purchased land from the State shall not be disqualified from buying under this Section of this Act. Purchasers under this Section may sell their land in whole tracts only at any time after the date of the award.

Sec. 3. The surveyed land situated in any county other than those named in the preceding section that may be forfeited for non-payment of interest after September 1, 1917, shall be sold in eighty-acre tracts or multiples thereof, and not to exceed two sections to any one person, and the condition of settlement and three years continuous residence thereon next succeeding the date of the award, but otherwise sale shall be made upon the same terms and conditions that are now provided by law for the sale of land on conditions of settlement and residence. If a purchaser should fail to reside continuously upon some portion of the land purchased under this Section of this Act, such land shall be subject to forfeiture by the Commissioner of the General Land Office. One shall not purchase land under this Act as additional land already owned, unless such land already owned was purchased under this Act or applied for at the same time the additional tract is applied for under this Act. One who has heretofore purchased or who may hereafter purchase as much as two sections of land on condition of settlement and residence shall not be qualified to purchase any more land under this Section of this Act, but such purchase shall not disqualify one from buying other land without condition

of settlement. Purchasers under this section may sell their land in eighty-acre tracts or multiples thereof at any time after one year from the date of the award and in the manner now provided by law; provided, the surveyed land that may be unsold on August 31, 1917, in any county may be sold thereafter without settlement as provided in Section 2.

Sec. 4. Unsurveyed school land may be filed on with the county surveyor at any time in the manner now provided by law and sold without condition of settlement or residence and in such size tracts as may be approved by the Commissioner of the General Land Office, and sales may be made at such times as the papers may be approved by the Commissioner and upon the same terms and conditions and limitations that are provided for sales without settlement in Section 2 of this Act. One who has heretofore purchased land from the State or who may hereafter purchase land under this Act shall not be disqualified from buying unsurveyed land under this Section of this Act. A purchaser under this Section may sell his land in eighty-acre tracts or multiples thereof at any time after the date of the award.

Sec. 5. Interest on all purchases under this Act shall be due on the first day of November after purchase and on the first day of November each year thereafter and if not paid in full when due the land shall be subject to forfeiture in the manner now provided by law for forfeiture for non-payment of interest.

Sec. 6. All tracts of whatsoever kind, whether surveyed or unsurveyed, and in whatsoever county, which contain less than eighty acres shall be sold for cash and without condition of settlement or residence.

Sec. 7. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 8. The fact that all the school land suitable for residence in the counties named herein has been sold and the fact that there is some confusion in the law concerning the sale of unsurveyed land creates an emergency and an imperative public necessity exists requiring the suspension of the constitutional rule that bills shall be read on three several days in each House be suspended and that this bill be placed upon third reading and final passage.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 5, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 431, A bill to be entitled "An Act for the relief of certain purchasers of free school lands,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

Parr, Chairman; Hudspeth, Dayton, Decherd, Johnson, King.

By Lattimore. S. B. No. 431.

A BILL
To Be Entitled.

An Act to provide that owners of public free school land purchased from the State on condition of settlement and residence between January 1, 1907, and January 1, 1915, which land may hereafter be forfeited for the nonpayment of interest accrued or accruing at the time of the taking effect of this Act, shall have the right to repurchase not to exceed four sections at a price to be fixed by the Commissioner of the General Land Office, and holding unimpaired any lien and valid contractual right existing between the owner at date of forfeiture and other persons of the State; and providing that the owner desiring to so repurchase shall pay five dollars for each tract desired to be repurchased and all interest accrued to the date of repurchase; and authorizing the said Commissioner to use so much of the sum received for the tracts to be reappraised as may be necessary to defray the expenses of the reappraisement and to cover the remainder of said sum into the State Treasury, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. If any of the public free school land purchased from the State after January 1, 1907, and prior to January 1, 1915, on condition of settlement and residence,

should hereafter be forfeited for the nonpayment of any part of the interest that has already accrued or that may be accruing at the date this Act takes effect, the owner of such land at the date it was forfeited shall have the right to repurchase not more than four sections of 640 acres each, more or less, at such price and under such classification as may be fixed upon the land by the Commissioner of the General Land Office; provided, the right to repurchase shall be exercised by the forfeiting owner by filing his application and obligation for the balance of the unpaid price bearing three per cent interest and the one-fortieth of the appraised price as the first payment in the General Land Office within sixty days after the notice of appraisement and classification by the Commissioner, and in the manner provided by law for the purchase of school land. When such repurchase is completed the purchaser shall be reinstated to all of his rights in said land that existed at time of forfeiture, and any lien, legal or equitable, and any valid contractual right in favor of any person or the State, except the former canceled obligation for the unpaid purchase price under the former purchase, existing against it, including taxes, shall remain unimpaired and in full force and effect as if no such forfeiture had occurred.

Section 2. Within thirty days after the forfeiture of any land that comes within the provisions of this Act the owner at the date of forfeiture shall notify the Commissioner of the General Land Office in writing of his surveys that he permitted to be forfeited and which he desires to repurchase, and accompany said notice with five dollars for each tract or survey that he desires to repurchase. Such sum as the Commissioner shall so receive, or so much thereof as may be necessary, shall be used by him in defraying the expenses necessary to the reappraisement of the land. Any unexpended balance of said sum shall be covered into the State Treasury and credited to the general revenue account.

Sec. 3. When an application for the repurchase of land under this Act has been filed in the General Land Office the Commissioner shall ascertain the amount of interest that has

accrued upon the former purchase up to the date the repurchase application was filed and mail notice of said amount to the applicant or his agent, and if the applicant does not pay the said amount into the General Land Office within sixty days thereafter the repurchase application shall be rejected and the land shall stand forfeited subject to the rights of the forfeiting owner under existing statutes. If in any case the term of residence on the land shall not have expired the purchaser shall continue the residence until its completion from date of original purchase. All repurchases under this Act shall be subject to forfeiture for nonpayment of interest the same as under the original purchase.

Sec. 4. The enactment of this bill into law is of such importance to the western part of the State because of conditions resulting from a series of long drouths creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read in each house on three several days be suspended and that this be placed upon its third reading and final passage and take effect from its passage.

Committee Room,

Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 409, A bill to be entitled "An Act to amend Article 3883 of the Revised Civil Statutes of the State of Texas of 1909,"

Have had the same under consideration, and I am requested to report the same back to the Senate, with the recommendation that it do pass, with the following committee amendments:

Amendment No. 1. Amend the bill by striking out the words, "last United States census," and inserting in lieu thereof the words, "United States census of 1910."

Amendment No. 2. Amend the caption of the bill by adding thereto the words, "relating to fees allowed county officers in certain counties in this State."

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 254, A bill to be entitled "An Act amending Article 6695 of the Revised Statutes of 1911, conferring upon the Railroad Commission of Texas authority to require two or more railway companies whose lines enter the same city or town under certain conditions, to join in the acquisition, construction and maintenance of union passenger depots, regulating the use of such powers, etc., so as to enlarge such powers and so as to regulate procedure in suits brought for the enforcement of such order or in suits brought to have such orders set aside, etc., and declaring an emergency,"

Have had the same under consideration, and I am requested to report the same back to the Senate, with the recommendation that it do pass.

JOHNSON, Chairman.

Committee Room,

Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 5, by Butler, Davis of Dallas. Miller of Dallas, entitled "A joint resolution of the Legislature of the State of Texas, proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section to be known as Section 59 providing for the compensation of public officials."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 422, A bill to be entitled "An Act defining common carrier pipe lines engaged, or to engage, in

the transportation of natural gas; declaring all corporations, persons, partnerships, or associations of persons now engaged, or to hereafter engage in transporting natural gas from place to place in the State to be common carriers, declaring such common carriers to be public utilities and making them subject to the provisions of this Act; giving the Railroad Commission of Texas the power to regulate the rate of such transportation by such common carriers; granting them the right to establish, maintain, and operate telegraph and telephone lines upon their rights of way in connection with their business, and to build and maintain their lines under and across or along streams, highways, and streets as other common carriers within this State; and providing against discrimination in favor of or against individuals, associations of persons or corporations in the conduct of their business; requiring them to exchange tonnage with other common carriers; and to receive and transport natural gas tendered to them for transportation; empowering said Commission to make rules and regulations for their conduct, and to require the construction and maintenance by them of transfer and delivery stations, and the transfer and delivery of natural gas from such common carrier to another, and to fix the charges therefor, and to fix the amount of deduction to be made therefrom on account of leakage, and giving said Commission plenary power to make rules and regulations for the control of such carrier, and power to enforce their rules and regulations and the provisions of this Act; fixing penalties for violation of this Act, and the rules and orders of said Commission; making certain violations a criminal offense, and fixing the penalty therefor, and providing means for the recovery of such penalties as are not made criminal, either by the State or the party aggrieved by such violation, naming the tribunal in which such recovery may be had; providing for the employment of an expert to assist the Commission, fixing his salary and making an appropriation therefor; levying a tax to pay such salary and other expenses; repealing all laws in conflict with this Act, providing that the invalidity of any part of this Act shall not invalidate the remaining parts

hereof, and declaring an emergency,"

Have had the same under consideration, and I am requested to report the same back to the Senate, with the recommendation that it do pass.

JOHNSON, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 461, A bill to be entitled "An Act to incorporate the City of Plainview, Hale County, Texas, and to grant it a charter; to define its powers and prescribe its territorial limits, duties and liabilities, repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Johnston of Harris, McNealus, Bee, Lattimore, Page, Hall, King, McCollum.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 253, A bill to be entitled "An Act to amend Article 3893, Chapter 4, Title 58, of the Revised Civil Statutes of Texas, relating to the compensation for the ex officio services, and when same be allowed by the commissioners' court, providing that the commissioners' court is debarred from allowing compensation for the ex officio services to county officials and district attorneys in districts composed of one county, when compensations and excess fees which they are allowed to retain shall reach maximum provided by law; and providing in cases where the said compensation and excess fees which such officers are allowed to retain shall not reach the maximum provided for by law; the commissioners'

court shall allow compensation for ex officio services to county officials and district attorneys in districts composed of one county, when in their judgment such is necessary, provided such compensation for ex officio services shall not increase the compensation of the official beyond the maximum amount of compensation and excess fees allowed to be retained by him under the law."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, but be not printed.

Parr, Chairman; Clark, Smith, Woodward.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 379, and find it correctly enrolled, and have this day at 11 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Lattimore. S. B. No. 379.

An Act to amend Section 1 of House Bill No. 34, passed by the Thirty-fifth Legislature, and approved by the Governor February 13, 1917, relating to the creation of a juvenile board within certain counties of this State, and prescribing the duties and powers of such board, including the appointment by it of probation officers and providing for the payment of compensation of such officers and allowing the said district judges an additional salary to be paid out of the general fund of such county, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of House Bill No. 34, enacted by the Thirty-fifth Legislature, and approved by the Governor of the State of Texas on the thirteenth day of February, 1917, be and the same is hereby amended so as to hereafter read as follows:

Section 1. In any county of this

State having a population of one hundred thousand, or over, and containing a city having a population of seventy thousand, or over, according to the United States census of 1910, the judges of the several district courts of such county, together with the county judge of such county, are hereby constituted a juvenile board for such county.

Sec. 2. The fact that House Bill No. 34, enacted by the Thirty-fifth Legislature, and approved by the Governor, includes only counties having cities of a population of 75,000 or more, and the fact that in other counties of the State having cities of slightly less population an equal necessity exists for the passage of such amendment to such law, the near approach of the close of the present session and the crowded condition of the calendar creates an emergency and an imperative public necessity that the rule requiring that bills be read on three several days be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 63 and find it correctly enrolled, and have this day at 11 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Westbrook. S. B. No. 63.

An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations, prohibiting the employment of children under seventeen years of age to labor in certain occupations, prohibiting the sending of children under seventeen years of age to certain places, limiting the hours of labor for children under fifteen years of age, providing for permits to be issued by the county judge for children between the ages of twelve and fifteen years to labor in certain occupations and under certain conditions, requiring employers employing children between the ages of twelve and fif-

teen years to secure and post permits where a child is employed, providing how such permits may be secured, giving the Commissioner of Labor Statistics, or his deputies or inspectors free access to all places where children or minors are employed, providing penalties for violation of the Act and repealing all laws and parts of laws in conflict with the Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any person, or any agent or employe of any person, firm or corporation, who shall hereafter employ any child under the age of fifteen (15) years, to labor in or about any factory, mill, workshop, laundry, theatre or other place of amusement, or in messenger service in towns and cities of more than fifteen thousand population, according to the Federal census, except as hereinafter provided, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not less than twenty-five dollars (\$25.00), nor more than two hundred dollars (\$200.00), or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment, provided that nothing in this Act shall be construed as affecting the employment of children on farms.

Sec. 2. Any person, or any agent or employe of any person, firm or corporation, who shall hereafter employ any child under the age of seventeen (17) years to labor in or about any distillery, brewery, or other place where intoxicating liquors are kept or manufactured, or in any mine, quarry, or place where explosives are used, or who, having control or employment of such child, shall send or cause to be sent, or who shall permit any person, firm or corporation, their agents or employes, to send any such child under the age of seventeen (17) years to any disorderly house, bawdy house, assignation house or place of amusement conducted for immoral purposes, the character or reputation of which could have been ascertained upon reasonable inquiry on the part of such person, firm or corporation having the control of such child, shall be deemed guilty of a misdemeanor,

and upon conviction in any court of competent jurisdiction shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the county jail not to exceed sixty (60) days, or by both such fine and imprisonment.

Sec. 3. It shall be the duty of every person, firm or corporation, their agents or employes, having in their employ or under their control, any child under the age of seventeen (17) years, doing a messenger or delivery business, or whose employes may be required to deliver any message, package, merchandise or other thing, before sending any such child on such errand, to first ascertain if such child is being sent or is to be sent to any place prohibited in Section 2 of this Act; failure or refusal to comply with this section shall subject any person, firm or corporation, their agents or employes having the control of such child or children to the penalties provided in Section 2 of this Act.

Sec. 4. Any person, firm or corporation, their agents or employes, having in their employ or under their control any child under the age of fifteen (15) years who shall require or permit any such child to work or be on duty for more than ten (10) hours in any one calendar day, or for more than forty-eight hours in any one week, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), or by imprisonment in the county jail not to exceed sixty (60) days, or by both such fine and imprisonment; provided, that nothing herein or in any other section of this Act shall apply to employment of children for farm labor, or to hours which children may work on farms.

Sec. 5. Upon application being made to the county judge of any county in which any child over the age of twelve (12) years shall reside, the earnings of which child are necessary for the support of itself, its mother when widowed, or in needy circumstances, or invalid father, or of other children younger than the child for whom the permit is sought, the said county judge may, upon the sworn statement of such child or its parent or guardian, that the child for whom the permit is sought is over

twelve (12) years of age, that the said child is able to read and write in the English language, that it is able physically to perform the work or labor for which a permit is sought, and that it shall not be employed in or around any mill, factory, workshop, or other place where dangerous machinery is used, nor in any mine, quarry, or other place where explosives are used, nor in any distillery, brewery or other place where intoxicating liquors are manufactured, sold or kept, or where the moral or physical condition of the child is liable to be injured, and that the earnings of such child are necessary for the support of such invalid parent, widowed mother or mother whose husband has deserted her, or of younger children, and that such support can not be obtained in any other manner, and that suitable employment has been obtained for such child, issue a permit for such child to enter such employment. Every person, firm or corporation employing any such child between the ages of twelve (12) years and fifteen (15) years shall post in a conspicuous place where such child is employed, the permit issued by the county judge; provided, that no permit shall be issued for a longer period than six (6) months, but may be renewed from time to time upon satisfactory evidence being produced that the conditions under which the former permit was issued still exists, and that no physical or moral injury has resulted to such child by reason of its employment. In every case where a permit is sought for any child between the ages of twelve (12) years and fifteen (15) years, the parent, guardian or other person in charge or control of such child shall appear before the county judge in person with such child for whom a permit is sought before such permit shall be issued. There shall be nothing in this Act to prevent the working of school children of any age from June 1 to September 1 of each year except that they shall not be permitted to work in factory, mill, workshop, theatre, moving picture show or other places of amusement, and the places mentioned in Sections 2 and 5 of this Act.

Sec. 6. The Commissioner of Labor Statistics, or any of his deputies or inspectors shall have free access

during working hours to all places where children or minors are employed, and any owner, manager, superintendent, foreman or other person in authority, who shall refuse to admit, or in any way hinder or deter the said Commissioner or any of his deputies or inspectors from entering or remaining in such place, or from collecting information with respect to the employment of children as provided in this Act, shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be punished by a fine of not less than twenty-five dollars (\$25.00), nor more than one hundred dollars (\$100.00); provided, that nothing herein shall apply to those engaged in stock raising pursuits.

Sec. 6a. Provided, that nothing in this Act shall be construed as prohibiting the employment by any person of nurses, maids, yard servants, or others for private homes and families, regardless of their ages.

Sec. 7. All laws or parts of laws in conflict herewith are hereby repealed.

Sec. 7a. If any of the provisions of this Act shall be declared by proper judicial action to be unconstitutional, that fact shall not operate to invalidate other provisions of the bill.

Sec. 8. The fact that the present law governing employment of children is inadequate in this State, prescribing the occupations that children under certain age may follow, defining the ages under which said children shall not be employed in certain occupations, and limiting the hours of service of said children, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days, be suspended, and it is so enacted.

Committee Room,
Austin, Texas, March 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared the committee substitute for Senate Bill No. 108, and find it correctly enrolled, and have this day at 11 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Committee. C. S. S. B. No. 108.

An Act supplementing the Act creating a Live Stock Sanitary Commission for the State of Texas, as defined and described in Article 7312 of the Revised Civil Statutes, and providing for the further protection of the live stock industry of Texas against all malignant, contagious and infectious or communicable diseases; prescribing the duties of the Live Stock Sanitary Commission; authorizing it to formulate rules and regulations for moving and treating domestic animals within the State; for the protection of live stock industry of Texas against ticks or splenetic fever and other malignant, infectious or communicable diseases and the eradication of the Texas fever-carrying tick, commonly known as the cattle tick (*Maragropies Annulatus*), scabies in sheep and cattle, and other malignant, infectious and communicable diseases affecting sheep and other live stock; authorizing said Commission to prescribe quarantine lines and to establish special quarantine districts, and for the quarantine of premises within said districts; and providing that it shall be the duty of the commissioners' court of any county to co-operate with the said Live Stock Sanitary Commission; to employ cattle, sheep or live stock inspectors, and to build or lease suitable dipping vats for the dipping or treatment of domestic animals; providing process to compel compliance by commissioners' courts and the members thereof with the provisions of the Act; providing for the quarantine, appraisal and condemnation of horses, mules or asses found infected with the glanders or anthrax; for holding local option elections; for taking up and prosecuting the work of tick eradication within any county or counties in this State; providing for the division of the State into certain districts or zones; for the proclamation of a quarantine around the county or counties in the respective districts or zones by the Governor of Texas, and the compulsory quarantine of the county or counties in the respective districts or zones on certain prescribed dates; for the separate

quarantine of every individual premise within said county or counties; for the appointment of live stock inspectors by commissioners' courts; for the employment of county inspectors in any county wherein sheep are quarantined on account of scabies; for the publication of service of all quarantines issued by the Live Stock Sanitary Commission, and providing that the same shall be admissible as evidence; for the filing of quarantine notices and making it a misdemeanor to fail or refuse to dip or treat domestic animals when ordered to do so by the Live Stock Sanitary Commission or inspector thereof, or to move domestic animals out of quarantine territory without a written permit, or to fail or refuse to permit the inspection of domestic animals, and prescribing penalties therefor; this Act to be cumulative of the Act creating a Live Stock Sanitary Commission as provided for in Article 7312, Revised Civil Statutes, repealing all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall be the duty of the Commission provided in Article 7312, Revised Civil Statutes, to protect the domestic animals of the State from all malignant, contagious or infectious diseases of a communicable character whether said diseases exist in Texas or elsewhere; and for the purpose it is hereby authorized and empowered to establish, maintain and enforce such protective measures and quarantine lines and sanitary rules and regulations as it may deem necessary, when it shall determine upon proper inspection that such diseases exist. It shall also be the duty of said Commission to co-operate with the Live Stock Sanitary Commission and officers of other States, and with the United States Secretary of Agriculture, in establishing such interstate quarantine lines, rules, and regulations as shall best protect the live stock industry of this State against the fever-carrying tick (*Maragropies Annulatus*), which produces the splenetic fever and other malignant, contagious, infectious or communicable diseases of live stock. It shall be the duty of said Live Stock Sanitary Commission

to quarantine any district, county or part of county, or premises within this State when it shall determine upon proper inspection the fact that cattle, sheep or other live stock in such district, county, part of county or premises are affected with any malignant, contagious, infectious or communicable disease, or with the agency or transmission of such diseases, and to give written or printed notice of such quarantine to the proper officers of railroad and express companies doing business in or through such quarantine district, county, or part of a county, within this State, and to publish notice of the establishment of such quarantine in such newspaper in the quarantine district, county, or part of county as the Live Stock Sanitary Commission may select, or give notice in such other ways as it deems necessary and adequate for the purpose of establishing and maintaining a quarantine service; and no railroad or express company shall receive for transportation, or transport, from any quarantined district, county, or part of county in this State, into any other district, county, or part of county within this State, any cattle, sheep or other live stock except as hereinafter provided; nor shall any person, company, or corporation deliver for transportation to any railroad or express company any cattle, sheep or other live stock for or from a quarantined area except as hereinafter provided; nor shall any person, company or corporation drive on foot or cause to be driven on foot or transport in private conveyance, or cause to be transported in private conveyance, or drive or permit to drive from a quarantined district, county or part of county or premises of this State any cattle, sheep or other live stock except as hereinafter provided. It shall be the duty of the Live Stock Sanitary Commission of Texas to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, treatment, handling and method and manner of delivery and shipment of cattle and other live stock from or into a quarantined district, county or part of a county, or premises, into any other district, county or part of a county or premises in this State. And said Commission shall make and promulgate rules and regulations

which shall permit and govern the movement and shipment of cattle and other live stock from or into a quarantined district, county or part of county or premises into any other district, county, part of county or premises in this State where such cattle or other live stock are to be immediately slaughtered, and furnish prompt inspection when demanded by the owner or person in charge of such cattle or other live stock so intended to be moved or shipped for immediate slaughter, and it is hereby so authorized, and directed; and the Live Stock Sanitary Commission of Texas shall give notice of such rules and regulations by proclamation issued by the Governor of Texas. The said Live Stock Sanitary Commission of Texas is hereby empowered with the authority to employ a State Veterinarian and Assistant State Veterinarians in times of emergency, and inspectors or other persons, as it may deem necessary to the performance of the duties imposed upon said Commission. The Live Stock Sanitary Commission, the State Veterinarian, Assistant State Veterinarians and inspectors acting under authority or direction of the Commission are hereby empowered and it is made their duty at their discretion to enter upon premises of any person or persons, company or corporation within this State, for the purpose of inspecting, quarantining or disinfecting premises or live stock thereon.

Sec. 2. It is further provided that the Live Stock Sanitary Commission shall have the power, and it is hereby made its duty, as far as possible, to destroy and eradicate the fever-carrying tick which produces splenic fever; also to eradicate and eliminate the scabies, sheep scab, anthrax, bovine tuberculosis, hog cholera, glanders and other malignant, infectious, contagious or communicable diseases of live stock. For this purpose it is empowered and directed to establish special quarantine districts where such diseases or infection of such diseases are known to exist; and notice of the establishment of such special quarantine districts shall be given as provided for in Article 7314, Revised Civil Statutes, and in Section 1 of this Act. The Live Stock Sanitary Commission shall have the power to quarantine premises or pastures located in said special quarantine districts, and the domestic live stock

thereon situated in such quarantine districts, or elsewhere, when to their knowledge such pasture or premises, or the live stock located thereon are infected with, or have been exposed to a malignant, contagious, infectious or communicable disease, or the infection thereof; and no live stock shall be moved to or from such special quarantine district; nor from or to any pastures or premises located in such special quarantine district, in a manner, method, or condition other than those prescribed by the Live Stock Sanitary Commission. It shall be the duty of the Live Stock Sanitary Commission to prescribe methods for dipping live stock or otherwise treating or disinfecting such premises and the live stock thereon, as in their opinion are necessary and adequate for the eradication of the disease or the infection of the disease, for which they are quarantined.

Sec. 3. It shall be the duty of the county commissioners' courts to co-operate with and assist the Live Stock Sanitary Commission in protecting the live stock of their respective counties from all malignant, contagious, infectious or communicable diseases, whether such diseases exist within or outside the county and otherwise protect the live stock interests of their counties. It shall be the duty of said commissioners' courts to co-operate with the Live Stock Sanitary Commission and the officers working under the authority or direction of said Commission, in the suppression and eradication of fever-carrying ticks, and all malignant, contagious, infectious or communicable diseases of live stock; provided, when it becomes necessary to disinfect any premises infected with anthrax, hog cholera, glanders, foot and mouth disease, bovine tuberculosis, or contagious abortion, under order of the Live Stock Sanitary Commission, the county judge of the county wherein such premises are located shall have such disinfecting done at the expense of the county, and according to the rules and regulations of the Live Stock Sanitary Commission, and the said commissioners' courts are hereby authorized and empowered and directed to appropriate moneys out of the general fund of their counties for the purpose of constructing or leasing necessary public dipping vats within their counties

and for the purchase of dipping material therefor.

Sec. 4. It shall be the duty of the Live Stock Sanitary Commission, whenever they have reason to believe, or shall receive notice that any malignant, contagious, infectious or communicable disease or the infection thereof exists among any domestic animals in this State, to immediately investigate, and if such disease is found to exist, or if they have reason to believe such disease exists, to immediately quarantine such animals and the premises upon which they are located; provided, further, that if glanders or anthrax is found, the State Veterinarian or Assistant State Veterinarians, shall make a thorough investigation and shall notify the county judge of the county wherein such animals are located of the number and description of the animals so affected.

Sec. 5. It shall be the duty of the county judge of any county in this State whenever any horses, mules or asses within their counties are found infected with glanders or anthrax and have been quarantined by order of the Live Stock Sanitary Commission, to appoint three disinterested parties, who shall act as appraisers and fix the value of said animals at their actual value at the time of such appraisalment, and make a sworn, written report of said appraisalment to the county judge, whereupon the commissioners' court shall pass upon such written report and pay to the owner of the animals their appraised value. The county judge on receipt of the report of the appraisers, as provided for in this section, shall issue an order to the sheriff, deputy sheriff, or any constable of the said county commanding him to seize said diseased animal or animals and take same to some secluded place and kill them and burn the carcass or carcasses, and said appraisers and officers shall be paid for their services as provided for in Article 7320, Revised Civil Statutes.

Sec. 6. It shall be the duty of any person, firm or corporation of this State to burn to ashes, or bury at a depth of not less than two and one-half feet and to cover with quicklime the carcass or carcasses of any domestic animal or animals dying from any infectious, contagious or communicable diseases of a malignant character that may be found

upon their premises, within twenty-four hours after the death of such animal or animals. Any person who is the owner or care-taker of any premises, who shall fail or refuse to burn to ashes or bury to the depth herein prescribed and cover with quicklime, the carcass or carcasses of any domestic animal or animals dying from infectious, contagious or communicable diseases of a malignant character found on such premises within twenty-four hours after the notice of the death of such animal or animals, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten nor more than two hundred dollars, and each day such owner or caretaker of such premises shall so fail or refuse to so burn or bury such animal or animals as aforesaid shall be deemed a separate offense.

Sec. 7. It shall be the duty of the commissioners' court of any county within the State of Texas, whenever they deem it expedient, or when petitioned to do so by seventy-five resident land owners to order an election called for the purpose of determining whether the county shall take up and prosecute the work of tick eradication in said county. Said election shall be ordered and held not less than sixty days after the filing of the petition. At said election the ballots shall have printed upon them "For Tick Eradication in _____ County" and "Against Tick Eradication in _____ County." The officers of said election shall hold said election and make return thereof as provided by law in case of other elections as nearly as may be. Said returns shall be made returnable to the county judge of the county. The commissioners' court shall meet and canvass said returns as soon as practicable after such election, and if they find that a majority of all the votes cast were in favor of tick eradication under the direction of the Live Stock Sanitary Commission, they shall so certify and cause publication of same to be made in a newspaper published in said county, which publication shall be certified to by the county judge of said county, and said certificate shall be filed with the county clerk of said county, which said certificate shall be admissible as evidence in any of the courts of this State. The county judge shall immediately so notify the

Live Stock Sanitary Commission, and upon receipt of such notice from the county judge of the county so holding the election, the Live Stock Sanitary Commission shall cause to be issued a supplemental proclamation signed by the Governor of Texas, proclaiming a quarantine around said county, and the citizens of said county in co-operation with and under the direction of the Live Stock Sanitary Commission shall begin work of tick eradication within thirty days of the issuance of the said supplemental proclamation. Should the commissioners' court find that a majority of the votes cast were against tick eradication, then the county judge shall so notify the Live Stock Sanitary Commission.

Sec. 8. The following zones or districts for the eradication of the Texas fever-carrying tick, causing splenetic or tick fever, are hereby established:

Zone. No. 1. The Northern District, comprising the Counties of Armstrong, Archer, Andrews, Anderson, Briscoe, Bailey, Baylor, Bowie, Borden, Brown, Brewster, Burnet, Bell, Bosque, Carson, Collingsworth, Castro, Childress, Cottle, Cochran, Crosby, Clay, Cooke, Collin, Comanche Callahan, Coleman, Concho, Coke, Crockett, Crane, Culberson, Cass, Camp, Coryell, Cherokee, Dallam, Deaf Smith, Donley, Dickens, Delta, Denton, Dallas, Dawson, Erath, Eastland, Ellis, Ector, El Paso, Foard, Floyd, Fannin, Franklin, Fisher, Falls, Freestone, Gray, Grayson, Garza, Gaines, Gregg, Glasscock, Hartley, Henderson, Hansford, Hempill, Hutchinson, Hall, Hardeman, Hale, Hockley, Hopkins, Hunt, Haskell, Harrison, Hood, Howard, Hamilton, Hill, Irion, Jack, Jones, Jeff Davis, Johnson, King, Knox, Kent, Kaufman, Lipscomb, Lamb, Lubbock, Lamar, Lynn, Loving, Llano, Lampasas, Limestone, Leon, Moore, Motley, Montague, Morris, McCulloch, Mitchell, Martin, Midland, Marion, Mills, Milam, McLennan, Nolan, Navarro, Oldham, Ochiltree, Parmer, Potter, Palo Pinto, Parker, Pecos, Presidio, Panola, Roberts, Randall, Red River, Rockwall, Runnels, Reagan, Reeves, Rains, Rusk, Robertson, Sherman, Swisher, Stonewall, Scurry, Shackelford, Stephens, Smith, Somervell, Sutton, Schleicher, Sterling, San Saba, Shelby, Titus, Throckmorton, Terry, Taylor, Tarrant, Tom Green,

Terrell, Upshur, Upton, Van Zandt, Wheeler, Wood, Wichita, Wilbarger, Wise, Ward, Winkler, Young, Yoakum, Val Verde. Provided, that in zone No. 1, as above established in this bill, that all counties that have heretofore by majority vote, voted to eradicate ticks, in said counties, that on and after April 1, 1917, the Live Stock Sanitary Commission of Texas shall have the power to compel any owner of cattle, horses, mules, asses or any other animal on which ticks may be, to dip said live stock under the rules and regulations of said Live Stock Sanitary Commission as provided in this Act, and that all elections held prior to the taking effect of this Act whereby any county in this State has by a majority vote voted to eradicate ticks, is hereby in all things declared to be a valid election and is in all things ratified.

Zone No. 2. Comprising the Counties of Angelina, Blanco, Bandera, Caldwell, Comal, Edwards, Guadalupe, Gillespie, Houston, Hays, Jasper, Kendall, Kimble, Kerr, Madison, Mason, Menard, Montgomery, Medina, Newton, Nacogdoches, Polk, Real, Sabine, San Jacinto, San Augustine, Travis, Tyler, Trinity, Uvalde, Kinney, Walker, Williamson, Jefferson, Liberty and Orange.

Zone No. 3, or Southern Zone, comprising the Counties of Austin, Atascosa, Aransas, Brazos, Bee, Brazoria, Bexar, Cameron, Burleson, Calhoun, Chambers, Colorado, Dimmit, Duval, DeWitt, Frio, Fayette, Fort Bend, Go-liad, Galveston, Hidalgo, Harris, Hardin, Jim Hogg, Jackson, Brooks, Jim Wells, Kleberg, Karnes, LaSalle, Lavaca, Lee, Live Oak, Maverick, McMullen, Matagorda, Nueces, Refugio, Starr, San Patricio, Victoria, Webb, Willacy, Wilson, Wharton, Zavala, Zapata, Washington, Waller, Grimes, Gonzales and Bastrop.

Sec. 9. Provided further, that immediately after March 1, 1919, the Live Stock Sanitary Commission shall make and certify to the Governor of Texas a list of the names of the counties in zone No. 1 that have not been freed from ticks and released from quarantine by the Live Stock Sanitary Commission, whereupon the Governor shall issue his proclamation proclaiming a quarantine in and around such counties, and thereafter all of such counties shall take up the work of tick eradication, and shall be subject to all of the provisions of this

Act whether or not they shall have held an election as provided in Section 7 of this Act. Provided, further, that immediately after January 1, 1920, the Live Stock Sanitary Commission shall make and certify to the Governor a list of the names of the counties in zone No. 2 that have not been freed from ticks and released from quarantine by the Live Stock Sanitary Commission; whereupon the Governor shall issue his proclamation proclaiming a quarantine in and around such counties, and thereafter all of such counties shall take up the work of tick eradication, and shall be subject to all of the provisions of this Act whether or not they shall have held an election as provided in Section 7 of this Act. Provided further, that immediately after January 1, 1922, the Live Stock Sanitary Commission shall make and certify to the Governor of Texas a list of the names of the counties in zone No. 3, that have not been freed from ticks and released from quarantine by the Live Stock Sanitary Commission; whereupon the Governor shall issue his proclamation proclaiming a quarantine in and around such counties, and thereafter all of such counties shall take up the work of tick eradication, and shall be subject to all of the provisions of this Act whether or not they shall have held an election as provided in Section 7 of this Act; provided, further, that certified copies of any proclamations by the Governor of Texas, issued under the authority of this Act, shall be admissible as evidence in the trial of any cases arising in prosecution or other suits under this Act.

Sec. 10. Upon the issuance of the supplemental proclamation as provided in Section 9, every premise in said quarantine counties, parts of counties or districts shall at once become quarantined, and no cattle, horses, mules or asses shall be moved from any premise where located when the quarantine is proclaimed by the Governor, except in accordance with the rules and regulations of the Live Stock Commission, or upon a written permit of an authorized inspector of the Live Stock Sanitary Commission of Texas, provided said Commission shall make and promulgate such rules and regulations as will permit the movement of work and saddle stock in any such quarantined county, part of county or district.

Sec. 11. Any person, firm or corporation who is the owner or caretaker of any cattle, horses, mules or asses located in any quarantined territory who shall ship, drive, drift or permit the same to be shipped, driven or drifted into any county, part of any county or district, which has been quarantined under the provisions of Sections 9 and 10 of this Act, without the written permit of an inspector of the Live Stock Sanitary Commission of Texas, or the United States Bureau of Animal Industry, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one dollar (\$1.00) nor more than five dollars (\$5.00) per head for all live stock so shipped, driven or drifted, or permitted to be shipped, driven or drifted.

Sec. 12. The commissioners' court of any county within this State, wherein an election has been held under the provisions of Section 7 of this Act, which said election has resulted in favor of tick eradication, shall notify the Live Stock Sanitary Commission of Texas of the number of inspectors needed to conduct the work of tick eradication in their respective counties; whereupon the Live Stock Sanitary Commission shall appoint the number of inspectors designated, which inspectors shall be residents of the said county and shall work under the direction and orders of the Live Stock Sanitary Commission, and shall be subject to discharge by the said Commission and shall be paid a salary out of the county treasury of that county, which compensation shall be fixed by the commissioners' court.

Sec. 13. Wherever any district, county or part of a county shall be quarantined by order of the Live Stock Sanitary Commission on account of scabies or scab in sheep, every individual premise within such quarantined area shall be quarantined separately, and no sheep shall be shipped, driven, drifted or permitted to be shipped, driven or drifted off any premises where located when such quarantine is declared, without a written permit from an authorized inspector of the Live Stock Sanitary Commission of Texas.

Sec. 14. The commissioners' court of any county within the State of Texas, any part of which has been

quarantined on account of scabies or scab in sheep, shall notify the Live Stock Sanitary Commission of Texas to conduct the work of sheep scab of the number of inspectors needed eradication in their respective counties, whereupon the Live Stock Sanitary Commission shall appoint the number of inspectors designated, which said inspectors shall be residents of the said county and shall work under the directions and orders of the Live Stock Sanitary Commission, and shall be subject to discharge by the said Commission, and shall be paid a salary out of the county treasury, which compensation shall be fixed by the commissioners' court.

Sec. 15. Any person, company or corporation owning, controlling or caring for any domestic animal or animals, which are located in any territory quarantined through the provisions of this Act, or by the order of the Live Stock Sanitary Commission of Texas, who shall refuse or fail to dip or otherwise treat such live stock in such time and in such manner as directed in writing by the Live Stock Sanitary Commission, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than one hundred dollars, and each day of such failure or refusal shall be a separate offense.

Sec. 16. Any person, company or corporation owning, controlling or caring for any domestic animal or animals which have theretofore been quarantined through the provisions of this Act, or by order of the Live Stock Sanitary Commission of Texas, and written notice of such quarantine has been given as directed by this Act, who shall remove said domestic animal or animals from said premises where situated when said written notice is given, without the written permit of an inspector of the Live Stock Sanitary Commission, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum of not less than one dollar (\$1.00) nor more than five dollars (\$5.00) for each animal so moved.

Sec. 17. Whenever the Live Stock Sanitary Commission shall have determined the fact that cattle, sheep or other live stock are infected with malignant, contagious or infectious

disease, they shall designate the district, county, part of county or premises necessary to be quarantined, and notice of such quarantine shall be issued by the said commission or chairman thereof, as herein provided. Publication of such quarantine notice shall be made in any newspaper within such area, or if no newspaper is published within such area, then the nearest newspaper thereto, and if there is no newspaper published within twenty-five miles of the quarantine area a written notice sent to the persons, firm or corporation owning or caring for such quarantined domestic animal or animals shall be deemed sufficient notice of such quarantine.

Sec. 18. Whenever any quarantine is declared by the Live Stock Sanitary Commission and printed or written notice thereof is given to the persons, firm or corporation owning, caring for, or in charge of such quarantined domestic animal or animals or premises, the person serving such written notice shall file a duplicate copy of such notice with the county clerk of the county wherein said quarantine is declared, which duplicate copy shall be admissible as evidence in lieu of the original quarantine notice in any of the courts of this State.

Sec. 19. If any person, firm or corporation owning, controlling or caring for any domestic animal or animals within this State shall ship, drive, drift or permit to be shipped, driven or drifted any such domestic animal or animals out of any quarantined territory quarantined under the authority of Section 9 of this Act, the Live Stock Sanitary Commission shall have the power to call upon the sheriff, deputy sheriff, or any constable of the county in which such live stock may be found, and it shall be the duty of said sheriff, deputy sheriff or any constable of the county in which such live stock may be found to seize said domestic animal or animals and return them to the premises from which they have been so moved, or to hold said domestic animal or animals in his custody, subject to such instruction as he may receive from the Live Stock Sanitary Commission of Texas. If any person, firm or corporation owning, controlling or caring for any domestic animal or animals located in any territory quarantined by the provisions of this Act, or by order of the Live

Stock Sanitary Commission of Texas, shall fail or refuse to dip or treat such domestic animal or animals in such manner, and at such time as directed by the Live Stock Sanitary Commission, then the Live Stock Sanitary Commission, or the chairman thereof, or any inspector acting under the authority of said commission or chairman thereof, shall have the power to call upon the sheriff, deputy sheriff or any constable of the county in which such live stock are found, and it shall be the duty of said sheriff, deputy sheriff or constable, together with the said inspector, to seize and dip or otherwise treat such domestic animal or animals in a manner and at such times as the Sanitary Commission shall direct. The sheriff, deputy sheriff or constable performing such service as above set out shall receive such compensation as is provided in Article 7320, Revised Civil Statutes, and similar compensation shall be paid for any person he may have to assist him in performing such services, and the said fees, with all costs of dipping and treating the said live stock, shall constitute a lien against such animal or animals and shall be collected by civil suit.

Sec. 20. The commissioners' court by a majority of the commissioners in each organized county, may appoint a competent person for the office of county veterinarian, who shall hold office for two years, and until his successor shall be appointed and qualified, unless sooner removed for cause. Said veterinarian shall take and subscribe to the constitutional oath of office, and shall file a copy of such oaths of office and a copy of his appointment with the Live Stock Sanitary Commission; and until such copies are so filed, said officer shall not be deemed legally qualified. Compensation of said veterinarian shall be fixed by the commissioners' court; provided, that no compensation or salary shall be allowed except for services actually rendered; said officer shall be a graduate veterinarian and shall work under the direction of the Live Stock Sanitary Commission and shall investigate and report all malignant, infectious or contagious diseases of live stock within his county to the Live Stock Sanitary Commission, and it shall be his duty to burn to ashes the carcass of any animal that may be found upon any property of the

county where the ownership of such animal or animals is unknown.

Sec. 21. The dip to be used in the treatment of sheep scab under official supervision in this State is the lime and sulphur dip, made in the proportion of eight (8) pounds of unslaked lime or eleven (11) pounds of commercial hydrated lime (not air-slaked lime) and twenty-four (24) pounds of flowers of sulphur to one hundred (100) gallons of water. The dipping bath must at all times be maintained at a strength of not less than one and one-half (1½) per cent of sulphide sulphur, or any other dip officially approved by both the Live Stock Sanitary Commission of Texas and the United States Bureau of Animal Industry. The dip to be used in the treatment of cattle for ticks shall be the arsenical dip approved by the United States Bureau of Animal Industry, or any other dip officially approved by both said bureau and the Live Stock Sanitary Commission of Texas.

Sec. 22. Any person owning, controlling or in charge of any domestic animal or animals which shall be required to be dipped under any of the provisions of this Act, who shall wilfully fail or refuse to dip in the official dips as above specified, or shall wilfully fail or refuse to maintain said dip at the strength officially specified, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00).

Sec. 23. This Act shall be liberally construed and if any section thereof be declared invalid, the remaining parts of the law shall not be affected thereby, and it is the intent of the Legislature to preserve all, any and every portion of said Act if possible.

This Act does not repeal any law in force for the protection of domestic animals, but is cumulative thereto.

Chapter 169 of the General Laws of 1913, as passed by the Thirty-third Legislature at its Regular Session, Articles 1266, 1269, 1271, 1272, 1273, 1274, 1275, 1276, 1277 and 1278, of the Revised Criminal Statutes of 1911, are hereby expressly repealed, and all other laws and parts of laws in conflict herewith are hereby repealed.

Sec. 24. The fact that there is now no adequate law in this State de-

fining the duties of the Live Stock Sanitary Commission, or regulating live stock sanitary control work in Texas, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force as set out in its provisions from and after its passage, and it is so enacted.

FORTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
Tuesday, March 6, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. ad interim Gibson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Hopkins.	

Absent—Excused.

Henderson. McNealus.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Westbrook.

Excused.

Senator McNealus, for today on account of sickness, on motion of Senator Hudspeth.

Petitions and Memorials.

See Appendix.